



**MEETING MINTUES**  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA

Regular Meetings: The  
First, Second, and Third  
Tuesday of each month

**Regular Meeting**

County Courthouse  
Bridgeport California

**September 16, 2008**

**September 9, 2008**

Flash Drive		
Minute Orders	M08-179	M08-182
Resolutions	R08-48	Not Used
Ordinance	Ord08-06	Not Used

**September 16, 2008**

Flash Drive		
Minute Orders	M08-183	M08-191
Resolutions	R08- 48	R08-53
Ordinance	Ord08-06	Not Used

9:05AM Meeting Called to Order by Chair Supervisor Vikki Bauer  
Absent: Supervisor Hap Hazard

Pledge of Allegiance led by Supervisor Bill Ried

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke

**BOARD MEMBER REPORTS**

Hunt: Mammoth Lakes Housing meeting- new plans, addressing all housing needs; upcoming joint planning commission meeting and also joint meeting with town council; 3 units coming up for resale – process of putting these units back in mix of people waiting for houses; deed restrictions; Aspen Village Condos be up for sale –should have no trouble selling them; ESCG met in Mammoth talked about Eastern Sierra Conservancy – they are accepting new applications for budget matters (assist with projects); Eastern Sierra needs Verizon to be a more workable system; Special Recreation District discussion; expanding Public Works department; Rodeo Grounds development; college dorm units are rented out; ESTA meeting – color of vans/buses is turquoise blue; discussion on fiscal structure – Rotary Club sponsored Local Heroes recognition luncheon; Farnetti: PUC hearing on request for waiver re underground line installation (Verizon); high speed internet; Heroes recognition luncheon – outstanding job done by Rotary; Reid: Senior Center lunch – running smoothly and doing well; Mono Basin RPAC meeting – cemetery irrigation and landscaping; will meet tomorrow with outside consultant from San Diego re Board relationship with Marine Base; Tim Fesko..new trailer park in Walker/Coleville inviting BOS to visit/new RV park; Will be at RCRC in Tahoe next week; Farnetti will attend Town/County meeting in Mammoth on Thursday in place of Reid. Bauer: YARTS in Fresno quarter is getting attention – SCI draft coming; June Lake CAC went well – design review element was approved and decided it was a necessary step – mass and scale of project – no specific plan yet; as each bldg goes up it will be reviewed by CAC; Washington D.C. – transportation meeting with Boxer advisors; met with new transportation specialist (McKeon's office). NACO office tour; Wilderness issues/discussion, changes and

information; asked Bauer to do a written testimony rather than speak to Congress; ESTA meeting. Discussed budget.

## COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)  
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.  
NOVA software/agenda review meetings  
IMAAA issues  
Attended First responders luncheon  
Continuing to meet with staff  
Will be out Wed. through Friday

## 2) APPROVAL OF MINUTES

- M08-183** Minutes of the Special Meeting held on August 25, 2008. Approved  
***Farnetti/Hunt 4-0 Absent: Hazard***
- M08-184** Minutes of the Special Meeting held on August 26, 2008. Approved  
***Hunt/Farnetti 4-0 Absent: Hazard***
- M08-185** Minutes of the Special Meeting held on August 27, 2008. Approved  
***Hunt/Reid 4-0 Absent: Hazard***
- M08-186** Minutes of the Regular Meeting held on September 2, 2008. Approved  
***Farnetti/Reid 4-0 Absent: Hazard***

## CLOSED SESSION

Enter: 9:10 a.m.

Exit Closed Session: 10:20 a.m.

Recess: 10:20 a.m.

Reconvene: 10:25 a.m.

## HUMAN RESOURCES

- 3a) Conference With Labor Negotiators (**Robert Garret**) - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, and Robert Garret. Employee Organization(s): Mono County Sheriff's Association (aka Deputy Sheriff's Association)
- 3b) Conference With Labor Negotiators (**Robert Garret**) - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Willbrecht, Marshall Rudolph, Brian Muir, and Robert Garret. Employee Organization(s): Sheriff's Management Association.

- 3c) Conference With Labor Negotiators (**Robert Garret**) - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, and Robert Garret. Employee Organization(s): Mono County Public Safety Officers' Association.
- 3d) Conference With Labor Negotiators (**Robert Garret**) - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, & Robert Garret. Employee Organization(s): Mono County Paramedic Rescue Association
- 3e) Conference With Labor Negotiators (**Robert Garret**) - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, & Robert Garret. Employee Organization(s): International Union of Operating Engineers, Stationary Local 39, AFL-CIO (aka Mono County Public Employees).

#### COUNTY COUNSEL

- 4a) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: threat of litigation by Americans for Safe Access.
- 4b) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential case: one.
- 4c) Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Bridgeport Courthouse. Agency negotiators: Marshall Rudolph, Dave Wilbrecht, Brian Muir. Negotiating parties: Mono County and the Administrative Office of the Courts. Under negotiation: MOU regarding courthouse use.

#### DEPARTMENT REPORTS/EMERGING ISSUES

**Tom Wallace, Assistant CAO:** Continuing to meet with Public Works and site coordinators for Crowley Lake Community Center – recommending changes which will include increase in fees and increase in security deposit- no further problems at this time with damage to center; Discussion about use of alcohol at Crowley Lake Community

Center that may be applied to other Community. Centers – temporarily there is no use of alcohol allowed in Crowley Lake Community Center but we do not want to be in the prohibition enforcement business; will bring forth a revised agreement that allows people to use alcohol with an increased security deposit; have discussed possibility of prohibiting alcohol permanently in the future.

IMAAA Senior Services – passed out copy of action of Inyo BOS that directs their staff to begin working with Mono to identify and resolve associated issues, requiring Inyo to commit additional resources and addressing feasibility of Mono sub-contracting with Inyo to provide direct services in Mono during remainder of fiscal year....demonstrate empathy for Mono County's desire to begin providing direct services to its senior citizens – target date is January 1, 2009

**Brian Muir, Finance:** current turmoil in financial markets – our investments are not at risk and are short term. Our principal is sound and we have a gain built in.

Outside auditors are here and should be done in three days;

Preliminary meeting with Mega Byte (phone meeting) would like to get started with planning process

There is a tentative State budget that has gone to Gov. for approval; he could veto

## CONSENT AGENDA

### FINANCE

- 5a) Placing Delinquent Charges and Penalties Due to Special District on Tax Roll - Mammoth Community Water District has requested that the County place certain delinquent charges relating to water and sanitary sewer service and associated penalties and interest on the tax roll.
- M08-187** **Action:** Authorize the Finance Director to include the charges and penalties requested by the Mammoth Community Water District on the tax roll for the forthcoming fiscal year.  
**Farnetti/Hunt 4-0 Absent: Hazard**
- 5b) Tax Rates for Fiscal Year 2008-2009 - Adopt resolution establishing 2008-2009 tax rates on the secured roll.
- R08-48** **Action:** Adopt **Resolution R08-48** establishing 2008-2009 tax rates on the secured roll.  
**Farnetti/Hunt 4-0 Absent: Hazard**

## REGULAR AGENDA

### CLERK-RECORDER

- 6a) California Highway Patrol - Letter dated August 29, 2008, from the California Highway Patrol to the Mono County Board of Supervisors regarding the accidental discharge (or threatened illegal discharge) of hazardous waste.
- 6b) Public Comments regarding the Eastern Sierra and Northern San Gabriel Wild Heritage Act - Letters addressed to the Mono County Board of Supervisors regarding the Eastern Sierra and Northern San Gabriel Wild Heritage Act.
- 6c) Advocates for Access to Public Lands - Letter from Advocates for Access to Public Lands to Mono County Board of Supervisors regarding U.S. Fish and  
Supervisor Reid requests letter be

fwd to reps.

Wildlife Service designation of approximately 417,577 acres in the Sierra Nevada Mountains as critical habitat for big horn sheep.

#### CLERK OF THE BOARD

- 7a) Domestic Violence Awareness Month (**Penni Brown, Wild Iris**) - Proposed proclamation by the Mono County Board of Supervisors recognizing Domestic Violence Awareness Month.

**M08-188**      **Action:** Adopt the proclamation.  
**Hunt/Farnetti 4-0 Absent: Hazard**

- 7b) Resolution Recognizing the Mammoth Hospital Auxiliary (**Supervisor Vikki Bauer**) - Resolution of the Mono County Board of Supervisors recognizing the Mammoth Hospital Auxiliary.

**M08-189**      **Action:** Approve and adopt the resolution.  
**Farnetti/Hunt 4-0 Absent: Hazard**

- 7c) Pre Planning for a Jail Facility in South County (**Supervisor Vikki Bauer**) - Consider pre planning and funding for a jail and dispatch facility in Southern Mono County.

Supervisor Reid wants to delay discussion on this matter to a later date when Supervisor Hazard is present; cannot support ; does not support the assumption that we even need a new jail; could prove true after evaluation, etc. some point in time we will need a jail needs assessment – there are other things we could do to expand use of present jail; rather than allocate money out of CIP at this time we need a lot of staff work by all staff involved; need to consider community acceptance; bond funding possibilities; work closely with Board of Corrections; Supervisor Farnetti agrees with Reid but states that some point in time we will have to consider a new jail but there is a lot of work and information that needs to be gathered; many ramifications with 2<sup>nd</sup> facility – needs a lot of work before we can address this; Supervisor Hunt feels that the time is rapidly approaching that we will need to address a new jail but need a comprehensive needs assessment of needs, costs, etc. Need to begin planning process All agree that planning process should move forward with jail needs assessment Farnetti asks that Sheriff find out who does needs assessments and what the cost would be-Sheriff will bring to Board in future. Board is interested in staff crafting an RFP re jail needs assessment.

**No Action**      Approve a line item within the capital improvement budget to start saving for a south county jail and dispatch facility.  
Not approved at his meeting

#### COUNTY COUNSEL—PUBLIC HEARING

##### Comments by County Counsel

Can only propose fees on new development; Bridgeport Fire is the only district in county that has not had Board impose fees on their behalf; \$1,830 for residential dwelling units; \$2,465 for commercial and \$8.98 per sq. foot per square foot for private business

District has posted notice of public hearing according to Chief Booher;

**PUBLIC HEARING OPENED 11:15 a.m. PUBLIC HEARING CLOSED 11:16 a.m. No one commented**

- 8a) Fire Mitigation Fees -- Public Hearing (**Marshall Rudolph**) - Consideration, public hearing, and possible adoption of proposed resolution establishing new fire mitigation fees applicable to new development within the Bridgeport Fire

Protection District.

**R08-49**      **Action:** Adopt **Resolution R08-49**      establishing new fire mitigation fees applicable to new development within the Bridgeport Fire Protection District.  
**Reid/Hunt 4-0 Absent: Hazard**

8b)      Proposed Letter to The Trust for Public Land (**Marshall Rudolph**) - Consider proposed letter from the Mono County Board of Supervisors to the Board of Directors of The Trust For Public Land, regarding the possibility of developing affordable housing at the Conway Ranch subdivision property owned by the County.

**M08-190**      **Action:** Authorize the Board Chair to sign said letter with such revisions (if any) as the Board may deem appropriate.  
**Reid/Farnetti 4-0 Absent: Hazard**

#### PUBLIC WORKS

9a)      Fancy Resolution – John Aronson Retirement (**Evan Nikirk**) - Consider proposed "fancy" resolution recognizing John Aronson for his 33 years of service with the Mono County Department of Public Works. Provide any desired direction to staff.  
No formal      Resolution is read by Supervisor Reid  
Action

**Action:** Adopt "fancy" resolution.

9b)      Administering Agency-State Master Agreement and Program Supplement Agreement for State Transportation Improvement Program Projects (**Kelly Garcia**) - Consider and potentially adopt proposed resolutions "A Resolution of the Mono County Board of Supervisors, State of California, Approving Administering Agency-State Agreement No. 00187S for State-Funded Projects" and "A Resolution of the Mono County Board of Supervisors, State of California, Approving Program Supplement Agreement No. E99 for the Lee Vining Streets Project." Receive staff report. Provide any desired direction to staff.

**R08-51**      **Action:** Adopt **Resolution R08-51**      "A Resolution of the Mono County Board of Supervisors, State of California, Approving Administering Agency-State Agreement No. 00187S for State-Funded Projects."  
**Hunt/Farnetti 4-0 Absent: Hazard**

**R08-52**      Adopt **Resolution R08-52**      "A Resolution of the Mono County Board of

Supervisors, State of California, Approving Program Supplement Agreement No. E99 for the Lee Vining Streets Project."

**Hunt/Farnetti 4-0 Absent: Hazard**

**Additional Departments: Planning**

- 9c) Excess Right-of-Way Vacation – A Portion of Boulder Drive, June Lake (**Evan Nikirk and Stacey Simon**) - Receive staff report regarding a potential vacation of a portion of Boulder Drive between Rea Drive and Garnet Drive in the Peterson Tract of June Lake. Consider and potentially adopt Resolution No. R08-50, "A Resolution of the Mono County Board of Supervisors Declaring its Intention to Consider Vacating a Portion of Boulder Drive in June Lake, California. Provide any desired direction to staff.  
Comments by Dave Lafferty from Triad Engineering. This regards a merging of two lots. Comment by Patti Heindrich re a request that she made earlier re a prior vacation on her behalf – Public Works Director explains that at that time there was a moratorium on vacation. Comments by Stacey Simon that law prohibits county from vacating, etc. unless it is in the public benefit. Evan states that Public Works will be looking at all potential road vacations as no moratorium exists any longer. Ms. Heindrich road vacation request will be considered also.

**R08-50 Action:** Adopt **Resolution R08-50** "A Resolution of the Mono County Board of Supervisors Declaring its Intention to Consider Vacating a Portion of Boulder Drive in June Lake, California."

**M08-191** Direct the Clerk of the Board, in consultation with the Director of Public Works, to set the date, hour, and place for a public hearing concerning the proposed road vacation and to cause publication and posting of notices as required by Streets and Highways Code Sections 8320 et seq.  
**Farnetti/Hunt 4-0 Absent: Hazard**

\*\*\*\*\*

LUNCH BREAK 11:45 a.m.

Reconvene: 1:00 p.m.m

\*\*\*\*\*

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Patti Heinrich addresses Board with request for funds for June Lake Historical Society. – Forming Historical Society; museum and desire start up monies in amount of \$10,000 (must be placed on agenda in order to be voted on) Will receive advice and guidance from Mono Lake Historical Society. Comments by Board members. Suggestion to look into CDBG. Society has not held meeting yet – startup date was yesterday. Farnetti would like to see more progress with organization and see work that will be done; Board wants more information and wants to see more structure in organization. What the funds will be used for? This matter will be brought back to Board after they received more information on this society.

**Enter Closed Session: 1:25 p.m. Reconvene: 1:55 p.m.**

**FINANCE—PUBLIC HEARING**

**PUBLIC HEARING OPENED: 1:55 P.M.**

Budget Hearing has been noticed and all mandates have been met regarding same, and Finance Director has

not heard any comments.

Finance Director comments on minor changes made in proposed budget.

Reserve and CIP funds are discussed.

Budget does not include any revenues from any adjustments

- 10a) Fiscal Year 2008-2009 County Budget (**Brian Muir**) - Conduct public hearing regarding Fiscal Year 2008-2009 Budget.  
Consider any changes to the proposed budget.  
Approve resolution adopting final Mono County Budget for Fiscal Year 2008-2009.

**R08-53**      **Action:** Adopt **Resolution R08- 53**      adopting final Mono County Budget for Fiscal Year 2008-2009.  
**Farnetti/Hunt 4-0 Absent: Hazard**

#### PUBLIC WORKS

- 11a) Construction Project Workshop (**Evan Nikirk and Kelly Garcia**) - Conduct workshop regarding County facility construction projects scheduled for completion during the summer 2008 season. Receive staff report summarizing the condition assessment of County facilities in Walker (to be continued at 6:00 p.m. at the Walker Community Center).

Animal Shelter painting – Board would like to get this done. CAO suggests getting dollar amount and do policy item (along with others) and earmark funding. County Administrator in conjunction with Public Works Department will get back to Board in October regarding this  
Supervisor Reid is frustrated with the fact that there has been no progress on Walker Ball Field

No action      **Action:** Discuss funded near-term capital improvement projects and consider prioritizing same. Provide any desired direction to staff.

3:15 p.m.      **ADJOURNMENT:** Adjourn meeting to reconvene in Special Session at the Walker Community Center 5:00 p.m.